

substance. The article was labeled in part: (Bags) "Pecco Fancy Clear Bleached Flour Packed for J. Pechman & Co., Inc., New York, N. Y."; "Washburn Crosby * * * Radio Rye Flour Bleached"; "Hi-Protein Type Gold Medal Whole Wheat Flour"; "Washburn's Gold Medal * * * Enriched Self-Rising Flour"; "Texoka * * * 100% Whole Wheat Flour"; "Reliance Brand Phosphated Flour Bleached Packed for Consolidated Companies, Inc. Plaquemine, La."; "Enriched with Vitamins and Iron * * * Washburn Crosby Flour * * * Bleached Self-Rising Gold Medal Flour"; or "Bottom Dollar Bleached Self-Rising Flour," (sack) "Bleached Flour * * * Okoma Special."

On November 23, 1942, J. Pechman & Co., Inc., Maspeth, N. Y., claimant for the flour seized at that point, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for denaturing under the supervision of the Food and Drug Administration and disposition for uses other than human consumption.

Between August 4, 1942, and December 9, 1942, no claimant having appeared for the flour in the remaining seizures, judgments of condemnation were entered and the lot located at Brunswick was ordered delivered to a local charitable institution to be denatured and fed to cattle or hogs and the remaining lots were ordered destroyed.

3859. Misbranding of flour. U. S. v. 304 Bags and 360 Bags of Flour. Decree of condemnation. Product ordered released under bond to be resacked and relabeled. (F. D. C. No. 7605. Sample Nos. 78111-E, 78112-E.)

This product was short of the declared weight.

On June 4, 1942, the United States attorney for the Northern District of West Virginia filed a libel against 304 5-pound bags and 360 10-pound bags of flour at Wheeling, W. Va., alleging that the article had been shipped in interstate commerce within the period from on or about February 16 to on or about March 20, 1942, by the Weber Flour Mills Co. from Salina, Kans.; and charging that it was misbranded. The article was labeled in part: "5 [or '10'] lbs. IGA Brand Family Flour Bleached * * * Packed for Independent Grocers Alliance Distributing Co., Chicago."

The article was alleged to be misbranded in that the statements "5 lbs." and "10 lbs." were false and misleading and in that it was in package form and did not bear a label containing an accurate statement of the quantity of the contents.

On July 27, 1942, the Weber Flour Mills Co., and Zarnitz Bros. Grocery Co., Wheeling, W. Va., claimants, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be resacked and relabeled under the supervision of the Food and Drug Administration.

CORN MEAL

3860. Adulteration of corn meal. U. S. v. 23 and 3 Bags of Corn Meal. Default decree of condemnation. Product ordered denatured and disposed of as hog feed. (F. D. C. No. 7954. Sample No. 4702-F.)

This product contained rodent hairs and rodent excreta fragments.

On July 22, 1942, the United States attorney for the Southern District of Ohio filed a libel against 23 100-pound bags and 3 25-pound bags of corn meal at Cincinnati, Ohio, alleging that the article which had been consigned on or about July 8, 1942, had been shipped in interstate commerce by the Dorsel Co. from Newport, Ky.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On August 27, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. On September 16, 1942, a supplemental decree was entered providing that the product be given to a public institution to be denatured and used as hog feed.

3861. Adulteration of corn meal. U. S. v. 132 Bags of Corn Meal. Default decree of condemnation and destruction. (F. D. C. No. 7635. Sample No. 79697-E.)

This product contained rodent excreta fragments and rodent hairs.

On June 9, 1942, the United States attorney for the Eastern District of Kentucky filed a libel against 132 bags of corn meal at Lothair, Ky., alleging that the article had been introduced into and transported in interstate commerce from the place of business of Jake Swarthout, Vernon, Ind., on or about May 27, 1942,

and charging that it was adulterated and that it consisted in whole or in part of a filthy substance. The article was labeled in part: "25 Lbs. Vernon Roller Mills Fresh Ground Corn Meal."

On July 9, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3862. Adulteration of corn meal. U. S. v. 18 Bags of Corn Meal. Default decree of condemnation and destruction. (F. D. C. No. 7947. Sample No. 17802-F.)

This product was in interstate commerce when examined, at which time it was found to be insect-infested. The time of infestation was not determined.

On July 21, 1942, the United States attorney for the District of New Jersey filed a libel against 18 bags of corn meal at Jersey City, N. J., alleging that the article had been shipped from Indianapolis, Ind., on or about May 5, 1942, by the Lawrenceburg Roller Mills Division, Acme-Evans Co.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "100 Lbs. Plus Quality Town Talk White Corn Meal."

On August 4, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3863. Adulteration of corn meal. U. S. v. 195 and 113 Sacks of Corn Meal. Consent decree of condemnation. Product ordered released under bond for use as animal feed. (F. D. C. No. 8088. Sample No. 28111-F.)

This product contained rodent hairs, rodent excreta, and insect fragments.

On August 5, 1942, the United States attorney for the Southern District of Florida filed a libel against 195 sacks, each containing 96 pounds of corn meal and 113 sacks, each containing 48 pounds of corn meal at Tampa, Fla., alleging that the article had been shipped in interstate commerce on or about July 13, 1942, by the Alabama Flour Mills, from Decatur, Ala., and charging that it was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Delight Unbolted Corn Meal."

On August 14, 1942, Bonacker Brothers, Inc., Tampa, Fla., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be reconditioned under the supervision of the Food and Drug Administration and disposed of as animal feed.

3864. Adulteration of corn meal. U. S. v. 108 Bales, each containing 5 Bags of Corn Meal. Decree of condemnation. Product ordered released under bond to be disposed of for animal feed. (F. D. C. No. 7570. Sample No. 93561-E.)

This product had been stored under insanitary conditions after shipment and when examined the bales and bags had been gnawed by rodents and the floor surrounding the lot was littered with corn meal and chewed paper. Dead rodents were found in one bag and other bags showed evidence of rodent nests. Samples taken from the product contained mouse pellets and chewed paper.

On May 29, 1942, the United States attorney for the Western District of Washington filed a libel against 108 bales, each containing 5 bags, of corn meal at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about January 12, 1942, and that it was in possession of the Merchants Wholesale Grocery Company, Seattle, Wash.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been held under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "9 lbs. Victor Yellow Corn Meal."

On July 14, 1942, the Merchants Wholesale Grocery Co., Seattle, Wash., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond, conditioned that it be disposed of for animal feed only.

MISCELLANEOUS

3865. Misbranding of spaghetti. U. S. v. 499 Cases of Spaghetti. Consent decree of condemnation. Product ordered released under bond for repackaging. (F. D. C. No. 7934. Sample No. 70900-E.)

This product occupied, on an average, less than 40 percent of the capacity of its container.

On July 22, 1942, the United States attorney for the Northern District of Georgia filed a libel against 499 cases, each containing 24 packages, of spaghetti at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 1 and 24, 1941, by the Ferlita Macaroni Co., Inc., from Tampa, Fla.; and charging that it was misbranded in that its container was so